

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ANDREW JOE BOUYER,	§	
	§	
VS.	§	CIVIL ACTION NO.4:09-CV-275-Y
	§	
RICK THALER, ¹ Director	§	
T.D.C.J., Correctional	§	
Institutions Division,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS
(With special instructions to the clerk of Court)

In this action brought by petitioner Andrew Joe Bouyer under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on July 23, 2009; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on August 13, 2009.

The Court, after **de novo** review, concludes that Petitioner's objections must be overruled, and that the petition for writ of habeas corpus should be dismissed with prejudice as time-barred under 28 U.S.C. § 2244, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions, and recommendation of the magistrate judge are ADOPTED.

¹As Rick Thaler has replaced Nathaniel Quarterman as the Director of the Texas Department of Criminal Justice, Correctional Institutions Division, he should be substituted as Respondent. FED R. CIV. P. 25(d)(1). The clerk of Court is directed to make this change on the docket of this case.

Petitioner Andrew Joe Bouyer's petition for writ of habeas corpus is DISMISSED WITH PREJUDICE.

SIGNED September 2, 2009.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE